

MINUTES OF THE
KEARNEY COUNTY PLANNING COMMISSION
March 12th, 2012

A meeting of the Kearney County Planning Commission was called to order by Chairperson John Kuehn in the Supervisors room of the Courthouse in Minden, Nebraska Kearney County at 7:30 p.m. on March 12th, 2012.

Roll Call: John Kuehn, Boyd Jacobsen, Patty Lundeen, Steve Roeder, Curt Stade and Tom Anderson.

Members absent: Dawn Thompson, Scott Torske, and Jody Casper.

Also present was Kearney County Zoning Administrator Joseph Anderson

All proceedings hereafter shown were taken while the meeting was open to the attendance of the public.

Chairperson John Kuehn announced that the meeting is subject to the Open Meetings Act and a copy of the act is located at the back of the room.

Chairperson John Kuehn announced that he was moving agenda item board reorganization to after the Public Hearing of Fort Kearney Consolidated.

Motion to accept agenda and the minutes of December 19th, 2011 meeting was made by Steve Roeder, Curt Stade seconded.

Aye: John Kuehn, Boyd Jacobsen, Patty Lundeen, Steve Roeder, Curt Stade and Tom Anderson

Nay: none

Members absent: Dawn Thompson, Scott Torske, Jody Casper.

John Kuehn announced that this meeting was called to hear public comments on an application for special use permit by Fort Kearney Consolidated and that the procedures for this public meeting are on the back counter and that all questions and comments should be made to the board and not to the applicant. Anyone wishing to speak is asked to fill out a form with name and address and leave on the table.

Steve Roeder made a motion to go into public hearing to hear public comments on said application @ 7:40 pm Boyd Jacobsen seconded.

Aye: John Kuehn, Boyd Jacobsen, Patty Lundeen, Steve Roeder, Curt Stade and Tom Anderson

Nay: none

Members absent: Dawn Thompson, Scott Torske, Jody Casper.

Dean Settje of Settje Agri Services and Engineering, Inc spoke on behalf of the applicant and explained the project with a power point presentation. Dean Settje further explained the need of the new system and showed how the new system was more environmental friendly. (A copy of the presentation is filled with these minutes)

The board asked a series of question about the project and how this project would benefit the environment.

Gene Olsen asked how this project would affect the nitrate level of the ground water if it would improve this level or not? How many acre feet of water the new holding pond holds? And how many acres the feedlot covers? And how they determined the ground water level because in some year he felt the ground water level was higher than what they think.

Jim Beno spoke on water levels on the farm ground that he has farmed for the last 25 years and the area where the holding pond is proposed has never stood water that he has know and the only place that has stood water in the last 25 years was further east of the proposed holding pond.

Dean Settje further explained that this new system is the best that one can get at this time. The holding pond would be lined with a synthetic liner that has zero permeability and a very long life expectancy. Further there will be a series of monitoring wells around the holding pond to monitor nitrates levels and make sure there is no ground water contamination. As far as the number of acre feet of water and the number of acres the feedlot covers Dean was unsure at this time but he thought about 250 acre/feet of water and a total of about 400 acres for the feedlot. Ground water was determined by drilling cores from the area and examined by geologists to determine the level of water saturation. This level was found to be 8 feet below the proposed holding pond, Federal and state regulations require 4 feet.

Chairperson John Kuehn asked if there were any other members of the public that would like to speak or if there were any board members that would like to ask Dean Settje any other question.

With no other comments John Kuehn asked for a motion to close the public hearing Curt Stade motioned to close that public hearing at 8:45 pm Steve Roeder seconded.

Aye: John Kuehn, Boyd Jacobsen, Patty Lundeen, Steve Roeder, Curt Stade and Tom Anderson
Nay: none

Members absent: Dawn Thompson, Scott Torske, Jody Casper.

After some general discussion and some follow up questions about the project for Dean Settje board found that all of the requirements were meet and that any of the residents that are within the 1 mile setback for a LCF of this size were exempt from the setback regulations because they were established prior to 2001 and that the proposed holding pond and pens will be able to meet

any setback requirements. The board further considered all environmental concerns and found that the plan set forth by Dean Settje addresses all known concerns and provides reasonable protection for environmental impact by the proposed project.

John Kuehn asked the board if they were ready to make a decision or not. The options were to approve recommendation, deny recommendation, or table it until the next meeting.

Curt Stade made a motion to approve special use permit by Fort Kearney Consolidated pending Nebraska Department of Environmental Quality, based on the following.

- Kearney County Zoning Regulation 6.4 #6 All existing nonconforming structures and uses may be continued (are grandfathered) as long as they are lawful as of the date of this regulation and may be expanded through the special use permit.
- Kearney County Comprehensive Plan Section 3 Land Use Profile & Plan

Steve Roeder seconded this motion.

Aye: John Kuehn, Boyd Jacobsen, Patty Lundeen, Steve Roeder, Curt Stade and Tom Anderson

Nay: none

Members absent: Dawn Thompson, Scott Torske, Jody Casper.

With this being the first meeting of the year the Kearney County Joint Planning Commission needs to reorganize. Curt Stade made a motion to leave everyone in the same positions.

- John Kuehn – Chairman
- Patty Lundeen – BZA Member

Joseph Anderson Zoning Administrator asked the board about proceeding with an amendment to zoning regulation. The board felt that an amendment to zoning regulations to allow an exemption to lot size was needed and instructed Zoning Administrator to proceed with this change.

With no further business Patty Lundeen made a motion to adjourn, Boyd Jacobsen seconded

Aye: John Kuehn, Boyd Jacobsen, Patty Lundeen, Steve Roeder, Curt Stade and Tom Anderson

Nay: none

Members absent: Dawn Thompson, Scott Torske, Jody Casper.

Meeting adjourned at 9:30 pm